



ATLANTIC COAST PIPELINE, LLC
ATLANTIC COAST PIPELINE
Docket Nos. CP15-554-000
CP15-554-001

APPENDIX D

Plan for the Unanticipated Discovery of Historic Properties or Human Remains During Construction in West Virginia

Rev. 3

Prepared by



January 9, 2017

Plan for the Unanticipated Discovery of Historic Properties or Human Remains During
Construction in West Virginia

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**Plan for the Unanticipated Discovery of Historic Properties or Human Remains During
Construction in West Virginia**

LIST OF ACRONYMS AND ABBREVIATIONS

ACP	Atlantic Coast Pipeline
Atlantic	Atlantic Coast Pipeline, LLC
Dominion Energy	Dominion Energy Transmission, Inc.
EI	Environmental Inspector
FERC	Federal Energy Regulatory Commission
WVDCH	West Virginia Division of Culture and History

Plan for the Unanticipated Discovery of Historic Properties or Human Remains During Construction in West Virginia

1.0 INTRODUCTION

Atlantic Coast Pipeline, LLC (Atlantic) – a company formed by four major energy companies – Dominion Energy, Inc.; Duke Energy Corporation; Piedmont Natural Gas Co., Inc.; and Southern Company Gas – proposes to construct and operate approximately 600 miles of natural gas transmission pipelines and associated aboveground facilities in West Virginia, Virginia, and North Carolina. This Project, referred to as the Atlantic Coast Pipeline (ACP), will deliver up to 1.5 million dekatherms per day of natural gas from supply areas in the Appalachian region to demand areas in Virginia and North Carolina. Atlantic has contracted with Dominion Energy Transmission, Inc. (Dominion Energy), a subsidiary of Dominion Energy, Inc., to construct and operate the ACP on behalf of Atlantic.

2.0 PURPOSE

This plan identifies procedures to be implemented in the event that previously unreported and unanticipated cultural materials or human remains are found during construction of the ACP in West Virginia. A separate plan identifying response procedures for crossings of Federal lands in the Monongahela National Forest has been prepared for the ACP.

3.0 TRAINING

Prior to the start of construction, Atlantic will conduct environmental training, including instruction on the identification of cultural materials, unmarked burials, and human remains, for Company and Contractor¹ personnel. The training program will focus on the Federal Energy Regulatory Commission's (FERC's) *Upland Erosion Control, Revegetation, and Maintenance Plan* and *Wetland and Waterbody Construction and Mitigation Procedures*; other construction, restoration, and mitigation plans, including this *Plan for Unanticipated Discovery of Historic Properties or Human Remains*; and applicable permit conditions. Atlantic also will provide large-group training sessions before each work crew commences construction with periodic follow-up training for groups of newly assigned personnel.

4.0 UNANTICIPATED DISCOVERY OF CULTURAL MATERIALS OR HUMAN REMAINS

The following measures will be implemented if known or suspected cultural materials, unmarked burials, or human remains are discovered during construction in West Virginia:

1. The Contractor will stop work in the area of the find (i.e., within 100 feet of the find or the outer perimeter of a group of finds) to protect the integrity of the find.
2. The Contractor will notify Atlantic's Environmental Inspector (EI)² of the find. The Contractor will not restart work in the area of the find until approved by the EI.

¹ Contractor or Contractors refer to the company or companies retained by Atlantic or another contractor to construct the proposed facilities.

² The role and responsibilities of an EI are defined in the FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan*.

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3. The EI will notify Atlantic's Environmental Project Consultant, who will coordinate with the Archaeological Consultant to conduct a preliminary assessment of the find.
4. Following the investigation, the Archaeological Consultant will notify Atlantic's Environmental Project Consultant by telephone regarding the preliminary assessment of the find.
5. Atlantic's Environmental Project Consultant will notify the FERC and West Virginia Division of Culture and History (WVDCH), which serves as the State Historic Preservation Office, by telephone regarding the preliminary evaluation of the find.
6. Atlantic's Environmental Project Consultant will notify the Delaware Nation of the find.³
7. If the materials found are cultural materials (e.g., artifacts or archaeological features), the procedures in Section 4.1 will be implemented. If the materials found are human remains, the procedures identified in Section 4.2 will be implemented.

4.1 Discovery of Cultural Materials

1. The EI will flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds).
2. Atlantic's Environmental Project Consultant will direct the Archaeological Consultant to begin an assessment of the significance of the find and the potential effect of construction on the site.
3. The Archaeological Consultant will assess and document the find within 2 days of its discovery.
4. If the Archaeological Consultant determines the find is not significant, and the FERC and WVDCH concur, the Archaeological Consultant will notify Atlantic's Environmental Project Consultant that construction may proceed in the vicinity of the find without additional action. The Archaeological Consultant will prepare a brief report on the find for submittal to the FERC and WVDCH within 7 days of the discovery.
5. If the Archaeological Consultant determines that the find may be significant, and the FERC and WVDCH concur, then the following additional steps will be implemented.

³ In a letter to the FERC dated December 1, 2014, the Delaware Nation asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. None of the other federally recognized tribes consulted for the ACP asked to be notified in the event of an unanticipated find.

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6. Atlantic's Environmental Project Consultant will notify other parties of the find as directed by the FERC and WVDCH.
7. If the find is determined to be significant and continuing construction may damage more of the site, Atlantic's Environmental Project Consultant will request recommendations from the FERC, WVDCH, and other parties recommended by the FERC and WVDCH regarding measures for site treatment. These measures may include:
 - i) A variance request to re-route around the site;
 - ii) Formal archaeological evaluation of the site;
 - iii) Site visits by the FERC, WVDCH, and other parties;
 - iv) Preparation of a mitigation plan by Atlantic for approval by the FERC and WVDCH;
 - v) Implementation of the mitigation plan; and
 - vi) Approval to resume construction following completion of the fieldwork component of the mitigation plan.
8. If, upon further analysis by the Archaeological Consultant, the find is determined to lack significance, Atlantic's Environmental Project Consultant will consult with the FERC, WVDCH, and other appropriate parties, and will request approval to resume construction subject, as warranted, to further mitigation required by the FERC.
9. Atlantic's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to start work.

4.2 Discovery of Unmarked Burials or Human Remains

1. If unmarked human burial or skeletal remains are encountered during construction activities, Atlantic's Environmental Project Consultant will direct the EI to flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds).
2. Atlantic's Environmental Project Consultant will notify the local law enforcement agency within 48 hours of the find.
3. Atlantic's Environmental Project Consultant will notify the FERC of the find.
4. If the local law enforcement agency determines that the remains are not modern or do not reflect a crime scene, and/or if they otherwise relinquish their jurisdiction over the remains, the FERC will consult appropriate parties (e.g.,

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WVDCH, federally recognized Indian Tribes, and/or the landowner) regarding additional steps to be followed.

5. If the WVDCH determines that the site has no archaeological significance, Atlantic will notify the circuit court of the County where the site is located. The removal, transfer, and disposition of the remains will be subject to the provisions of West Virginia Code §37-13-1 under the jurisdiction and authority of the circuit court of the County where the site is located.
6. If it is determined that the remains are Native American, a reasonable effort will be made to identify, locate, and notify the appropriate Tribe.
7. If it is determined that the remains are not Native American, a reasonable effort will be made to determine the identity or next of kin of the deceased.
8. The measures to protect the remains and associated artifacts will remain in effect until they have been fully evaluated, appropriate treatment of the discovery (if applicable) has been completed, and Atlantic has received written notice from the FERC to proceed with construction at the discovery site.
9. Atlantic's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to resume work in the vicinity of the find.

5.0 CONTACTS FOR UNANTICIPATED DISCOVERIES

ATLANTIC CONTACTS:

Lead Environmental Inspector (Spreads 1-1 and 2-2):

Name: Geoff Proctor
Cell: 814-203-3932
Email: geoff.proctor89@gmail.com

Lead Environmental Inspector (Spread 1-2 and 2-1):

Name: Jeff Durfee
Cell: 734-883-0956
Email: jsdurfee@yahoo.com

Lead Environmental Inspector (Spreads 2A and 3):

Name: Josh McDaniel
Cell: 318-372-2567
Email: josh@cypresscreekenv.com

Atlantic Environmental Project Consultant:

Name: Spencer Trichell
Phone: (804) 273-3472
Cell: (804) 263-5980
E-mail: spencer.trichell@dominionenergy.com

Archaeological Consultant:

Name: William Stanyard
Company: ERM
Phone: (678) 781-1372
Cell: (404) 317-0543
E-mail: bill.stanyard@erm.com

FEDERAL CONTACTS:

FERC Project Archaeologist:

Name: Ellen Armbruster
Phone: (202) 502-8330
Email: ellen.armbruster@ferc.gov

STATE CONTACTS:

WVDCH/STATE HISTORIC PRESERVATION OFFICE:

Name: Susan Pierce
Phone: (304) 558-0240, ext. 158
Email: susan.m.pierce@wv.gov

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TRIBAL CONTACTS:

Catawba Indian Nation

Name: Wenonah Haire
Phone: (803) 328-2427
E-mail: wenonahh@ccppcrafts.com

Delaware Nation, Cultural Preservation Office

Name: Nekole Alligood
Phone: (405) 247-2448
E-mail: nalligood@delawarenation.com

LOCAL LAW ENFORCEMENT CONTACTS:

Harrison County Sheriff:

Name: Robert Metheny
Phone: (304) 624-8550
Address: 301 W Main Street, Clarksburg, WV 26301

Lewis County Sheriff:

Name: Adam Gissy
Phone: (304) 269-8251
Address: 117 Court Ave, Weston, WV 26452

Pocahontas County Sheriff:

Name: Jeff Barlow
Phone: (304) 799-4445
Address: 900 ½ 10th Ave, Marlinton, WV 24954

Randolph County Sheriff:

Name: Mark Brady
Phone: (304) 636-2100
Address: 4 Randolph Ave, Elkins, WV 26241

Upshur County Sheriff:

Name: David Coffman
Phone: (304) 472-1180
Address: 38 W Main St, Buckhannon, WV 26201

6.0 REFERENCES

West Virginia Legislature (West Virginia). n.d. West Virginia Code. Available online at:
<http://law.justia.com/codes/west-virginia/2013/chapter-37/article-13/section-37-13-1A>. Accessed July 2016.



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Dominion Energy	Dominion Energy Transmission, Inc.
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VADHR	Virginia Department of Historic Resources

1.0 INTRODUCTION

Atlantic Coast Pipeline, LLC (Atlantic) – a company formed by four major energy companies – Dominion Energy, Inc.; Duke Energy Corporation; Piedmont Natural Gas Co., Inc.; and Southern Company Gas – proposes to construct and operate approximately 600 miles of natural gas transmission pipelines and associated aboveground facilities in West Virginia, Virginia, and North Carolina. This Project, referred to as the Atlantic Coast Pipeline (ACP), will deliver up to 1.5 million dekatherms per day of natural gas from supply areas in the Appalachian region to demand areas in Virginia and North Carolina. Atlantic has contracted with Dominion Energy Transmission, Inc. (Dominion Energy), a subsidiary of Dominion Energy, Inc., to construct and operate the ACP on behalf of Atlantic.

2.0 PURPOSE

This plan identifies procedures to be implemented in the event that previously unreported and unanticipated cultural materials or human remains are found during construction of the ACP in Virginia. A separate plan identifying response procedures for crossings of Federal lands in the George Washington National Forest has been prepared for the ACP.

3.0 TRAINING

Prior to the start of construction, Atlantic will conduct environmental training, including instruction on the identification of cultural materials, unmarked burials, and human remains, for Company and Contractor¹ personnel. The training program will focus on the Federal Energy Regulatory Commission's (FERC's) *Upland Erosion Control, Revegetation, and Maintenance Plan* and *Wetland and Waterbody Construction and Mitigation Procedures*; other construction, restoration, and mitigation plans, including this *Plan for Unanticipated Discovery of Historic Properties or Human Remains*; and applicable permit conditions. Atlantic also will provide large-group training sessions before each work crew commences construction with periodic follow-up training for groups of newly assigned personnel.

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The following measures will be implemented if known or suspected cultural materials, unmarked burials, or human remains are discovered during construction in Virginia:

1. The Contractor will stop work in the area of the find (i.e., within 100 feet of the find or the outer perimeter of a group of finds) to protect the integrity of the find.
2. The Contractor will notify Atlantic's Environmental Inspector (EI)² of the find. The Contractor will not restart work in the area of the find until approved by the EI.

¹ Contractor or Contractors refer to the company or companies retained by Atlantic or another contractor to construct the proposed facilities.

² The role and responsibilities of an EI are defined in the FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan*.

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3. The EI will notify Atlantic's Environmental Project Consultant, who will coordinate with the Archaeological Consultant to conduct a preliminary assessment of the find.
4. Following the investigation, the Archaeological Consultant will notify Atlantic's Environmental Project Consultant by telephone regarding the preliminary assessment of the find.
5. Atlantic's Environmental Project Consultant will notify the Federal Energy Regulatory Commission (FERC) and Virginia Department of Historic Resources (VADHR), which serves as the State Historic Preservation Office, by telephone regarding the preliminary evaluation of the find.
6. Atlantic's Environmental Project Consultant will notify federally recognized tribes³ (the Delaware Nation, the Catawba Indian Nation, and the Pamunkey Tribe) and Commonwealth recognized tribes (Cheroenhaka [Nottoway] Tribe, Chickahominy Tribe, Eastern Chickahominy Tribe, Mattaponi Tribe, Monacan Nation, Nansemond Tribe, Nottoway Tribe, Patawomeck Tribe, Rappahannock Tribe, and Upper Mattaponi Tribe) of the find.
7. If the materials found are cultural materials (e.g., artifacts or archaeological features), the procedures in Section 4.1 will be implemented. If the materials found are human remains, the procedures identified in Section 4.2 will be implemented.

4.1 Discovery of Cultural Materials

1. The EI will flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds).
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3. The Archaeological Consultant will assess and document the find within 2 days of its discovery.
4. If the Archaeological Consultant determines the find is not significant, and the FERC and VADHR concur, the Archaeological Consultant will notify Atlantic's Environmental Project Consultant that construction may proceed in the vicinity of the find without additional action. The Archaeological Consultant will prepare a

³ In a letter to the FERC dated December 1, 2014, the Delaware Nation asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. In a letter to Atlantic dated August 25, 2016, the Catawba Indian Nation asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. In a meeting on May 3, 2017, the Pamunkey Tribe asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. None of the other federally recognized Tribes consulted for the ACP asked to be notified in the event of an unanticipated find.

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brief report on the find for submittal to the FERC and VADHR within 7 days of the discovery.

5. If the Archaeological Consultant determines that the find may be significant, and the FERC and VADHR concur, then the following additional steps will be implemented.
 6. Atlantic's Environmental Project Consultant will notify other parties of the find as directed by the VADHR and FERC.
 7. If the find is determined to be significant and continuing construction may damage more of the site, Atlantic's Environmental Project Consultant will request recommendations from the FERC, VADHR, and other parties recommended by the FERC and VADHR regarding measures for site treatment. These measures may include:
 - i) A variance request to re-route around the site;
 - ii) Formal archaeological evaluation of the site;
 - iii) Site visits by the FERC, VADHR, and other parties;
 - iv) Preparation of a mitigation plan by Atlantic for approval by the FERC and VADHR;
 - v) Implementation of the mitigation plan; and
 - vi) Approval to resume construction following completion of the fieldwork component of the mitigation plan.
 8. If, upon further analysis by the Archaeological Consultant, the find is determined to lack significance, Atlantic's Environmental Project Consultant will consult with the FERC, VADHR, and other appropriate parties, and will request approval to resume construction subject, as warranted, to further mitigation required by the FERC.
 9. Atlantic's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to start work.

4.2 Discovery of Unmarked Burials or Human Remains

1. If unmarked human burial or skeletal remains are encountered during construction activities, Atlantic will comply with applicable provisions of the Virginia Antiquities Act (Section 10.1-2305) (see Section 6.0 below).
2. Atlantic's Environmental Project Consultant will direct the EI to flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds), and will notify the appropriate local law enforcement agency.

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3. Atlantic's Environmental Project Consultant will notify the FERC of the find.
4. If the local law enforcement agency determines that the remains are not modern or do not reflect a crime scene, and/or if they otherwise relinquish their jurisdiction over the remains, the FERC will consult appropriate parties (e.g., VADHR, which will consult as appropriate with Commonwealth recognized Tribes; the Delaware Nation, Catawba Indian Nation, and Pamunkey Tribe; other federally recognized Tribes, as appropriate; and/or the landowner) regarding additional steps to be followed.
5. If it is determined that the remains are Native American, a reasonable effort will be made to identify, locate, and notify the appropriate Tribe.
6. All parties shall make a good faith effort to ensure that the general public is excluded from viewing any Native American burial site or associated funerary artifacts and shall release no photographs of any Native American burial site or associated funerary artifacts to the press or general public.
7. If it is determined that the remains are not Native American, a reasonable effort will be made to determine the identity or next of kin of the deceased.
8. The measures to protect the remains and associated artifacts will remain in effect until they have been fully evaluated, appropriate treatment of the discovery (if applicable) has been completed, and Atlantic has received written notice from the FERC to proceed with construction at the discovery site.
9. Atlantic's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to resume work in the vicinity of the find.

5.0 CONTACTS FOR UNANTICIPATED DISCOVERIES

ATLANTIC CONTACTS:

Lead Environmental Inspector (Spread 3A):

Name: Brady Russell
Cell: 615-934-0239
Email: brady.russell@gmail.com

Lead Environmental Inspector (Spread 4):

Name: Gavin Blosser
Cell: 828-337-1249
Email: gavinblosser@aol.com

Lead Environmental Inspector (Spreads 4A and 5):

Name: Manning Tagarook
Cell: 859-583-3798
Email: manning.tagarook@gmail.com

Lead Environmental Inspector (Spreads 6 and 7):

Name: Aaron Ruyle
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Email: AaronRuyle6@gmail.com

Lead Environmental Inspector (Spread 11):

Name: David Buchanan
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Atlantic Environmental Project Consultant:

Name: Spencer Trichell
Phone: (804) 273-3472
Cell: (804) 263-5980
E-mail: spencer.trichell@dominionenergy.com

Archaeological Consultant:

Name: William Stanyard
Company: ERM
Phone: (678) 781-1372
Cell: (404) 317-0543
E-mail: bill.stanyard@erm.com

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FEDERAL CONTACTS:

FERC Project Archaeologist:

Name: Ellen Armbruster
Phone: (202) 502-8330
Email: ellen.armbruster@ferc.gov

COMMONWEALTH CONTACTS:

VADHR/STATE HISTORIC PRESERVATION OFFICE:

Name: Julie Langan
Phone: (804) 482-6087
E-mail: julie.langan@dhr.virginia.gov

TRIBAL CONTACTS:

Federally Recognized Tribes:

Catawba Indian Nation

Name: Wenonah Haire
Phone: (803) 328-2427
E-mail: wenonahh@ccpcrafts.com

Delaware Nation, Cultural Preservation Office:

Name: Nekole Alligood
Phone: (405) 247-2448
E-mail: nalligood@delawarenation.com

Pamunkey Tribe

Name: Robert Gray, Chief
Phone: (804) 339-1629
E-mail: rgray58@hughes.net

Commonwealth Recognized Tribes:

Cheroenhaka (Nottoway) Tribe

Name: Walt "Red Hawk" Brown, Chief
Phone: (757) 562-7760
E-mail: wdbrowniii@aol.com

Chickahominy Tribe

Name: Steve Adkins, Chief
Phone: (807) 829-5548, (804) 240-2214
E-mail: stephenradkins@aol.com

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Eastern Chickahominy Tribe

Name: Gene W. Adkins Chief
Phone: (804) 966-2760
E-mail: pathlane@cox.net

Mattaponi Tribe

Name: Mark Custalow, Chief
Phone: (804) 769-8783
E-mail: mcustalow@gcaservices.com

Monacan Nation

Name: Dean Branham, Chief
Phone: (434) 907-2660
E-mail: mnation538@aol.com

Nansemond Tribe

Name: Lee Lockamy, Chief
Email: lockamylee@yahoo.com

Nottoway Tribe

Name: Lynette Allston, Chief
Phone: (434) 658-4454
E-mail: allstonfam@aol.com

Patawomeck Tribe

Name: John R. Lightner, Chief
Phone: (540) 371-4437
E-mail: cowboy_john1@msn.com

Rappahannock Tribe

Name: G. Anne Richardson, Chief
Phone: (804) 769-0260
E-mail: chiefannerich@aol.com

Upper Mattaponi Tribe

Name: W. Frank Adams, Chief
Phone: (804) 690-1694

LOCAL LAW ENFORCEMENT CONTACTS:

Augusta County Sheriff:

Name: Donald Smith
Phone: (540) 245-5333
Address: 127 Lee Highway, Verona, VA 24482

**Plan for the Unanticipated Discovery of Historic Properties or Human Remains during
Construction in Virginia**

Brunswick County Sheriff:

Name: Brian Roberts
Phone: (434) 848-3133
Address: 120 E Hicks St, Lawrenceville, VA 23868

Buckingham County Sheriff:

Name: W.G. "Billy" Kid, Jr.
Phone: (434) 969-1772
Address: 13380 W James Anderson Hwy, Buckingham, VA 23921

City of Chesapeake Chief of Police:

Name: Col K. W. Wright
Phone: (757) 382-6161
Address: 304 Albemarle Drive, Chesapeake, VA 23322

City of Suffolk Chief of Police

Name: Thomas E. Bennett, Chief of Police
Phone: (757) 514-7915
Address: 304 Albemarle Drive, Chesapeake, VA 23322

Cumberland County Sheriff:

Name: Darrell Hodges
Phone: (804) 492-4120
Address: 1492 Anderson Hwy, Cumberland, VA 23040

Dinwiddie County Sheriff:

Name: D.T. "Duck" Adams
Phone: (804) 469-4550
Address: 14230 Sycamore Drive, Dinwiddie, VA 23841

Greensville County Sheriff:

Name: William T. "Tim" Jarratt, Jr.
Phone: (434) 348-4200
Address: 174 Uriah Branch Way, Emporia, VA 23847

Highland County Sheriff:

Name: David Neil
Phone: (540) 468-2210
Address: 145 W Main St, Monterey, VA 24465

Nelson County Sheriff:

Name: David Hill
Phone: (434) 263-7050
Address: 94 Courthouse Square, Lovingston, VA 22949

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Nottoway County Sheriff:

Name: Larry Parrish
Phone: (434) 645-9044
Address: 266 W Courthouse Rd, Nottoway Court House, VA 23955

Prince Edward County Sheriff:

Name: Wesley Reed
Phone: (434) 392-8101
Address: 124 S Main St, Farmville, VA 23901

Southampton County Sheriff:

Name: J.B. "Jack" Stutts
Phone: (757) 653-2100
Address: 22336 Main St, Courtland, VA 23837

6.0 REFERENCES

State of Virginia. 1991. *Virginia Antiquities Act*, Section 10.1-2305 of the *Code of Virginia*.
Final regulations adopted by the Virginia Board of Historic Resources and published in
the Virginia Register on July 15, 1991. Available online at:
<http://law.lis.virginia.gov/vacode/title10.1/chapter23/section10.1-2305/>. Accessed

7.0 VIRGINIA ANTIQUITIES ACT, SECTION 10.1-2305 OF THE CODE OF VIRGINIA

§ 10.1-2305. Permit required for the archaeological excavation of human remains.

A. It shall be unlawful for any person to conduct any type of archaeological field investigation involving the removal of human skeletal remains or associated artifacts from any unmarked human burial regardless of age of an archaeological site and regardless of ownership without first receiving a permit from the Director.

B. Where unmarked burials are not part of a legally chartered cemetery, archaeological excavation of such burials pursuant to a permit from the Director shall be exempt from the requirements of §§ 57-38.1 and 57-39. However, such exemption shall not apply in the case of human burials within formally chartered cemeteries that have been abandoned.

C. The Department shall be considered an interested party in court proceedings considering the abandonment of legally constituted cemeteries or family graveyards with historic significance. A permit from the Director is required if archaeological investigations are undertaken as a part of a court-approved removal of a cemetery.

D. The Board shall promulgate regulations implementing this section that provide for appropriate public notice prior to issuance of a permit, provide for appropriate treatment of excavated remains, the scientific quality of the research conducted on the remains, and the appropriate disposition of the remains upon completion of the research. The Department may carry out such excavations and research without a permit, provided that it has complied with the substantive requirements of the regulations promulgated pursuant to this section.

E. Any interested party may appeal the Director's decision to issue a permit or to act directly to excavate human remains to the local circuit court. Such appeal must be filed within fourteen days of the Director's decision.

Final regulations adopted by the Virginia Board of Historic Resources and published in the Virginia Register on July 15, 1991, are available at 17 VAC 5-20-10 through 17 VAC 5-20-80 (<http://law.lis.virginia.gov/admincode/title17/agency5/chapter20/>).



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NRHP	National Register of Historic Places
OSA	Office of State Archaeology

Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in North Carolina

1.0 INTRODUCTION

Atlantic Coast Pipeline, LLC (Atlantic) – a company formed by four major energy companies – Dominion Energy, Inc.; Duke Energy Corporation; Piedmont Natural Gas Co., Inc.; and Southern Company Gas – proposes to construct and operate approximately 600 miles of natural gas transmission pipelines and associated aboveground facilities in West Virginia, Virginia, and North Carolina. This Project, referred to as the Atlantic Coast Pipeline (ACP), will deliver up to 1.5 million dekatherms per day of natural gas from supply areas in the Appalachian region to demand areas in Virginia and North Carolina. Atlantic has contracted with Dominion Energy Transmission, Inc. (Dominion Energy), a subsidiary of Dominion Energy, Inc., to construct and operate the ACP on behalf of Atlantic.

2.0 PURPOSE

This plan identifies procedures to be implemented in the event that previously unreported and unanticipated cultural materials or human remains are found during construction of the ACP in North Carolina.

3.0 TRAINING

Prior to the start of construction, Atlantic will conduct environmental training, including instruction on the identification of cultural materials, unmarked burials, and human remains, for Company and Contractor¹ personnel. The training program will focus on the Federal Energy Regulatory Commission's (FERC) *Upland Erosion Control, Revegetation, and Maintenance Plan* and *Wetland and Waterbody Construction and Mitigation Procedures*; other construction, restoration, and mitigation plans, including this *Plan for Unanticipated Discovery of Historic Properties or Human Remains*; and applicable permit conditions. Atlantic also will provide large-group training sessions before each work crew commences construction with periodic follow-up training for groups of newly assigned personnel.

4.0 UNANTICIPATED DISCOVERY OF CULTURAL MATERIALS OR HUMAN REMAINS

The following measures will be implemented if known or suspected cultural materials, unmarked burials, or human remains are discovered during construction in North Carolina:

1. The Contractor will stop work in the area of the find (i.e., within 100 feet of the find or the outer perimeter of a group of finds) to protect the integrity of the find.
2. The Contractor will notify Atlantic's Environmental Inspector (EI)² of the find. The Contractor will not restart work in the area of the find until approved by the EI.

¹ Contractor or Contractors refer to the company or companies retained by Atlantic or another contractor to construct the proposed facilities.

² The role and responsibilities of an EI are defined in the FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan*.

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3. The EI will notify Atlantic's Environmental Project Consultant, who will coordinate with the Archaeological Consultant to conduct a preliminary assessment of the find.
4. Following the investigation, the Archaeological Consultant will notify Atlantic's Environmental Project Consultant by telephone regarding the preliminary assessment of the find.
5. Atlantic Environmental Project Consultant will notify the FERC and North Carolina Department of Natural and Cultural Resources (NCDNCR), which serves as the State Historic Preservation Office, by telephone regarding the preliminary evaluation of the find.
6. Atlantic's Environmental Project Consultant will notify federally recognized tribes³ (the Delaware Nation and the Catawba Indian Nation) and state recognized tribes (Coharie Tribe, Haliwa-Saponi Indian Tribe, Lumbee Tribe of North Carolina, Meherrin Indian Tribe, Occaneechi Band of the Saponi Nation, Sappony Tribe, and Waccamaw Siouan Tribe) of the find.
7. If the materials found are cultural materials (e.g., artifacts or archaeological features), the procedures in Section 4.1 will be implemented. If the materials found are human remains, the procedures identified in Section 4.2 will be implemented.

4.1 Discovery of Cultural Materials

1. The EI will flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds).
2. Atlantic's Environmental Project Consultant will direct the Archaeological Consultant to begin an assessment of the significance of the find and the potential effect of construction on the site.
3. The Archaeological Consultant will begin to assess and document the find within 2 days of its discovery. Methods will be consistent with the North Carolina Office of State Archaeology (OSA) guidelines. The purpose of the assessment will be to determine if the find is a site eligible for listing in the National Register of Historic Places (NRHP).
4. If the Archaeological Consultant determines the find is not eligible for listing in the NRHP, and the FERC and NCDNCR concur, the Archaeological Consultant will notify Atlantic's Environmental Project Consultant that construction may proceed in the vicinity of the find without additional action. The Archaeological

³ In a letter to the FERC dated December 1, 2014, the Delaware Nation asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. In a letter to Atlantic dated August 25, 2016, the Catawba Indian Nation asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. None of the other federally recognized Tribes consulted for the ACP asked to be notified in the event of an unanticipated find.

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Consultant will prepare a brief report on the find for submittal to the FERC and NCDNCR within 7 days of the discovery. All finds will be recorded with the OSA according to OSA guidelines.

5. If the Archaeological Consultant determines that the find may be eligible for listing in the NRHP, and the FERC and NCDNCR concur, then the following additional steps will be implemented.
 6. Atlantic's Environmental Project Consultant will notify other parties of the find as directed by the NCDNCR and FERC.
 7. If the find is determined to be eligible for listing in the NRHP and continuing construction may damage more of the site, Atlantic's Environmental Project Consultant will request recommendations from the FERC, NCDNCR, and other parties recommended by the FERC and NCDNCR regarding measures for site treatment. These measures may include:
 - i) A variance request to re-route around the site;
 - ii) Formal archaeological evaluation of the site;
 - iii) Site visits by the FERC, NCDNCR and other parties;
 - iv) Preparation of a mitigation plan by Atlantic for approval by the FERC and NCDNCR;
 - v) Implementation of the mitigation plan; and
 - vi) Approval to resume construction following completion of the fieldwork component of the mitigation plan.
8. If, upon further analysis by the Archaeological Consultant, the find is determined to not be eligible for listing in the NRHP, Atlantic's Environmental Project Consultant will consult with the FERC, NCDNCR, and other appropriate parties, and will request approval to resume construction subject, as warranted, to further mitigation required by the FERC.
9. After FERC, in consultation with NCDNCR and other appropriate parties, finds that starting work will have no adverse effect on any sites eligible for listing in the NRHP, Atlantic's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to start work.

4.2 Discovery of Unmarked Burials or Human Remains

1. If unmarked human burial or skeletal remains are encountered during construction activities, Atlantic will comply with applicable provisions of North Carolina's

Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in North Carolina

“Unmarked Human Burial and Human Skeletal Remains Protection Act” (North Carolina General Statutes Chapter 70, Article 3).

2. Atlantic’s Environmental Project Consultant will direct the EI to flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds), and will notify the County sheriff, who will notify the County medical examiner as required by North Carolina General Statutes Chapter 70, Article 3.
3. Atlantic’s Environmental Project Consultant will notify the FERC of the find.
4. If the County medical examiner determines that the remains are not modern or do not reflect a crime scene, and/or if they otherwise relinquish their jurisdiction over the remains, the County medical examiner will notify the state’s Chief Medical Examiner, who in turn will notify the State Archaeologist of the discovery and the findings of the County medical examiner. The State Archaeologist will take charge of the remains.
5. The State Archaeologist will have 48 hours to make arrangements with the landowner for the protection or removal of the burial or remains.
6. If the remains are removed, the State Archaeologist will coordinate the excavation by a professional archaeologist. The professional archaeologist will report his/her opinion on the characteristics of the remains to the State Archaeologist within two days after the removal.
7. Atlantic’s Environmental Project Consultant will consult appropriate parties (e.g., the State Archaeologist, the NCDNCR, the Executive Director of the North Carolina Commission of Indian Affairs, the Delaware Nation, the Catawba Indian Nation, other federally recognized Indian tribes, state recognized Indian tribes, and/or the landowner) as directed by the FERC regarding additional steps to be followed.
8. If it is determined that the remains are Native American, a reasonable effort will be made to identify, locate, and notify the appropriate Tribe.
9. If it is determined the remains are not Native American, the State Archaeologist will attempt to determine the identity or next of kin of the deceased. If no next of kin are identified the remains will be transferred to the State Archaeologist and permanently curated.
10. The measures to protect the remains and associated artifacts will remain in effect until they have been fully evaluated, appropriate treatment of the discovery (if applicable) has been completed, and Atlantic has received written notice from the FERC to proceed with construction at the discovery site.

**Plan for the Unanticipated Discovery of Historic Properties or Human Remains during
Construction in North Carolina**

11. Atlantic's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to resume work in the vicinity of the find.

5.0 CONTACTS FOR UNANTICIPATED DISCOVERIES

ATLANTIC CONTACTS:

Lead Environmental Inspector (Spread 8):

Name: Mike Edlin
Cell: (217) 722-4445
Email: medlin@ensiteusa.com

Lead Environmental Inspector (Spread 10):

Name: Joe Kienzle
Cell: (715) 816-4313
Email: jkienzle@ensiteusa.com

Atlantic Environmental Project Consultant:

Name: Spencer Trichell
Phone: (804) 273-3472
Cell: (804) 263-5980
E-mail: spencer.trichell@dominionenergy.com

Archaeological Consultant:

Name: William Stanyard
Company: ERM
Phone: (678) 781-1372
Cell: (404) 317-0543
E-mail: bill.stanyard@erm.com

FEDERAL CONTACTS:

FERC Project Archaeologist:

Name: Ellen Armbruster
Phone: 202-502-8330
Email: ellen.armbruster@ferc.gov

STATE CONTACTS:

NCDNCR/State Historic Preservation Office:

Name: Kevin Cherry
Phone: (919) 807-7280
Email: kevin.cherry@NCDNCR.gov

North Carolina State Archaeologist

Name: John Mintz
Phone: (919) 807-6555
Email: john.mintz@ncdcr.gov

**Plan for the Unanticipated Discovery of Historic Properties or Human Remains during
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TRIBAL CONTACTS:

Federally Recognized Tribes:

Catawba Indian Nation

Name: Wenonah Haire
Phone: (803) 328-2427
E-mail: wenonahh@ccppcrafts.com

Delaware Nation, Cultural Preservation Office

Name: Nekole Alligood
Phone: (405) 247-2448
E-mail: nalligood@delawarenation.com

State Recognized Tribes:

North Carolina Commission of Indian Affairs

Name: Greg Richardson, Executive Director
Phone: (919) 807-4440
E-mail: greg.richardson@doa.nc.gov

Coharie Tribe

Name: Greg Jacobs, Executive Director
Phone: (910) 564-6909
E-mail: greg_jacobs53@yahoo.com

Haliwa-Saponi Indian Tribe

Name: Dr. Brucie O. Richardson, Chief
Phone: (252) 586-4017
E-mail: info@haliwa-saponi.com

Lumbee Tribe of North Carolina

Name: Harvey Godwin, Tribal Chair
Phone: (910) 521-7861
E-mail: hgodwin@lumbeetribes.com

Meherrin Indian Tribe

Name: Wayne Brown, Chief/Tribal Administrator
Phone: (252) 209-0934
E-mail: chiefbrownmeherrin@yahoo.com

Occaneechi Band of the Saponi Nation

Name: W.A. "Tony" Hayes, Tribal Chair
Phone: (336) 421-1317
E-mail: obsntribe@gmail.com

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Construction in North Carolina**

Sappony Tribe

Name: Dante Desiderio, Executive Director
Phone: (434) 585-3352, (202) 631-2002
E-mail: sappony@msn.com

Waccamaw Siouan Tribe

Name: Lacy Wayne Freeman, Chief
Phone: (910) 665-8778
E-mail: siouan@aol.com

LOCAL LAW ENFORCEMENT CONTACTS:

Cumberland County Sheriff:

Name: Ennis Wright
Phone: (910) 677-5410
Address: 131 Dick St, Fayetteville, NC 28301

Halifax County Sheriff:

Name: Wes Tripp
Phone: (252) 583-8201
Address: 355 Ferrell Ln, Halifax, NC 27839

Johnston County Sheriff:

Name: Steve Bizzell
Phone: (919) 989-5010
Address: 120 S 3rd St, Smithfield, NC 27577

Nash County Sheriff:

Name: Keith Stone
Phone: (252) 459-1556
Address: 222 West Washington Street, Nashville, NC 27856

Northhampton County Sheriff:

Name: Jack Smith
Phone: (252) 534-2611
Address: 105 W Jefferson St, Jackson, NC 27845

Robeson County Sheriff:

Name: Kenneth Sealey
Phone: (910) 671-3100
Address: 120 Legend Road, Lumberton, NC 28358

**Plan for the Unanticipated Discovery of Historic Properties or Human Remains during
Construction in North Carolina**

Sampson County Sheriff:

Name: Jimmy Thornton
Phone: (910) 592-4141
Address: 112 Fontana St, Clinton, NC 28328

Wilson County Sheriff:

Name: Calvin Woodard Jr.
Phone: (252) 237-2118
Address: 100 Green Street East, Wilson, NC 27893

6.0 REFERENCES

State of North Carolina. Unmarked Human Burial and Human Skeletal Remains Projection Act, North Carolina General Statutes Chapter 70, Article 3. Available online at: http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_70/Article_3.pdf. Accessed February 2015.



**DOMINION ENERGY
TRANSMISSION, INC.
SUPPLY HEADER PROJECT
Docket No. CP15-555-000**

**Plan for the Unanticipated Discovery of Historic Properties
or Human Remains during Construction in West Virginia**

Rev. 3

Prepared by



January 9, 2018

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**Plan for the Unanticipated Discovery of Historic Properties or Human Remains during
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LIST OF ACRONYMS AND ABBREVIATIONS

Dominion Energy	Dominion Energy Transmission, Inc.
EI	Environmental Inspector
FERC	Federal Energy Regulatory Commission
SHP	Supply Header Project
WVDCH	West Virginia Division of Culture and History

1.0 INTRODUCTION

Dominion Energy Transmission, Inc. (Dominion Energy) proposes to construct and operate approximately 37.5 miles of pipeline loop and modify existing compression facilities in Pennsylvania and West Virginia. This Project, referred to as the Supply Header Project (SHP), will enable Dominion Energy to provide firm transportation service to various customers, including Atlantic Coast Pipeline, LLC.

2.0 PURPOSE

This plan identifies procedures to be implemented in the event that previously unreported and unanticipated cultural materials or human remains are found during construction of the SHP in West Virginia.

3.0 TRAINING

Prior to the start of construction, Dominion Energy will conduct environmental training, including instruction on the identification of cultural materials, unmarked burials, and human remains, for Company and Contractor¹ personnel. The training program will focus on the Federal Energy Regulatory Commission's (FERC) *Upland Erosion Control, Revegetation, and Maintenance Plan* and *Wetland and Waterbody Construction and Mitigation Procedures*; other construction, restoration, and mitigation plans, including this *Plan for Unanticipated Discovery of Historic Properties or Human Remains*; and applicable permit conditions. Dominion Energy also will provide large-group training sessions before each work crew commences construction with periodic follow-up training for groups of newly assigned personnel.

4.0 UNANTICIPATED DISCOVERY OF CULTURAL MATERIALS OR HUMAN REMAINS

The following measures will be implemented if known or suspected cultural materials, unmarked burials, or human remains are discovered during construction in West Virginia:

1. The Contractor will stop work in the area of the find (i.e., within 100 feet of the find or the outer perimeter of a group of finds) to protect the integrity of the find.
2. The Contractor will notify Dominion Energy's Environmental Inspector (EI)² of the find. The Contractor will not restart work in the area of the find until approved by the EI.
3. The EI will notify Dominion Energy's Environmental Project Consultant, who will coordinate with the Archaeological Consultant to conduct a preliminary assessment of the find.

¹ Contractor or Contractors refer to the company or companies retained by Dominion Energy or another contractor to construct the proposed facilities.

² The role and responsibilities of an EI are defined in the FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan*.

Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in West Virginia

4. Following the investigation, the Archaeological Consultant will notify Dominion Energy's Environmental Project Consultant by telephone regarding the preliminary assessment of the find.
5. Dominion Energy's Environmental Project Consultant will notify the FERC and West Virginia Division of Culture and History (WVDCH), which serves as the State Historic Preservation Office, by telephone regarding the preliminary evaluation of the find.
6. Dominion Energy's Environmental Project Consultant will notify the Delaware Nation of the find.³
7. If the materials found are cultural materials (e.g., artifacts or archaeological features), the procedures in Section 4.1 will be implemented. If the materials found are human remains, the procedures identified in Section 4.2 will be implemented.

4.1 Discovery of Cultural Materials

1. The EI will flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds).
2. Dominion Energy's Environmental Project Consultant will direct the Archaeological Consultant to begin an assessment of the significance of the find and the potential effect of construction on the site.
3. The Archaeological Consultant will assess and document the find within 2 days of its discovery.
4. If the Archaeological Consultant determines the find is not significant, and the FERC and WVDCH concur, the Archaeological Consultant will notify Dominion Energy's Environmental Project Consultant that construction may proceed in the vicinity of the find without additional action. The Archaeological Consultant will prepare a brief report on the find for submittal to the FERC and WVDCH within 7 days of the discovery.
5. If the Archaeological Consultant determines that the find may be significant, and the FERC and WVDCH concur, then the following additional steps will be implemented.
6. Dominion Energy's Environmental Project Consultant will notify other parties of the find as directed by the FERC and WVDCH.

³ In a letter to the FERC dated December 1, 2014, the Delaware Nation asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. None of the other federally recognized tribes consulted for the SHP asked to be notified in the event of an unanticipated find.

Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in West Virginia

7. If the find is determined to be significant and continuing construction may damage more of the site, Dominion Energy's Environmental Project Consultant will request recommendations from the FERC, WVDCH, and other parties recommended by the FERC and WVDCR regarding measures for site treatment. These measures may include:
 - i) A variance request to re-route around the site;
 - ii) Formal archaeological evaluation of the site;
 - iii) Site visits by the FERC, WVDCH and other parties;
 - iv) Preparation of a mitigation plan by Dominion Energy for approval by the FERC and WVDCH;
 - v) Implementation of the mitigation plan; and
 - vi) Approval to resume construction following completion of the fieldwork component of the mitigation plan.
8. If, upon further analysis by the Archaeological Consultant, the find is determined to lack significance, Dominion Energy's Environmental Project Consultant will consult with the FERC, WVDCH, and other appropriate parties, and will request approval to resume construction subject, as warranted, to further mitigation required by the FERC.
9. Dominion Energy's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to start work.

4.2 Discovery of Unmarked Burials or Human Remains

1. If unmarked human burial or skeletal remains are encountered during construction activities, Dominion Energy's Environmental Project Consultant will direct the EI to flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds).
2. Dominion Energy's Environmental Project Consultant will notify the local law enforcement agency within 48 hours of the find.
3. Dominion Energy's Environmental Project Consultant will notify the FERC of the find.
4. If the local law enforcement agency determines that the remains are not modern or do not reflect a crime scene, and/or if they otherwise relinquish their jurisdiction over the remains, the FERC will consult appropriate parties (e.g., WVDCH, federally recognized Indian tribes, and/or the landowner) regarding additional steps to be followed.

Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in West Virginia

5. If the WVDCH determines that the site has no archaeological significance, Dominion Energy will notify the circuit court of the County where the site is located. The removal, transfer, and disposition of the remains will be subject to the provisions of West Virginia Code §37-13-1 under the jurisdiction and authority of the circuit court of the County where the site is located.
6. If it is determined that the remains are Native American, a reasonable effort will be made to identify, locate, and notify the appropriate Tribe.
7. If it is determined that the remains are not Native American, a reasonable effort will be made to determine the identity or next of kin of the deceased.
8. The measures to protect the remains and associated artifacts will remain in effect until they have been fully evaluated, appropriate treatment of the discovery (if applicable) has been completed, and Dominion Energy has received written notice from the FERC to proceed with construction at the discovery site.
9. Dominion Energy's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to resume work in the vicinity of the find.

5.0 CONTACTS FOR UNANTICIPATED DISCOVERIES

DOMINION ENERGY CONTACTS:

Lead Environmental Inspector (Spread 13):

Name: Kerrie Smith
Cell: 814-221-5522
Email: k.l.smith@windstream.net

Lead Environmental Inspector (Mockingbird Hill and Burch Ridge Compressor Stations):

Name: Jason Wells
Cell: 304-532-2725
Email: jrwellswvu@yahoo.com

Atlantic Environmental Project Consultant:

Name: Spencer Trichell
Phone: (804) 273-3472
Cell: (804) 263-5980
E-mail: spencer.trichell@dominionenergy.com

Archaeological Consultant:

Name: William Stanyard
Company: ERM
Phone: (678) 781-1372
Cell: (404) 317-0543
E-mail: bill.stanyard@erm.com

FEDERAL CONTACTS:

FERC Project Archaeologist:

Name: Ellen Armbruster
Phone: (202) 502-8330
Email: ellen.armbruster@ferc.gov

STATE CONTACTS:

WVDCH/ State Historic Preservation Office:

Name: Susan Pierce
Phone: (304) 558-0240, ext. 158
Email: susan.m.pierce@wv.gov

**Plan for the Unanticipated Discovery of Historic Properties or Human Remains during
Construction in West Virginia**

TRIBAL CONTACTS:

Delaware Nation, Cultural Preservation Office

Name: Nekole Alligood
Phone: (405) 247-2448
E-mail: nalligood@delawarenation.com

LOCAL LAW ENFORCEMENT CONTACTS:

Doddridge County Sheriff:

Name: Michael Headley
Phone: (304) 873-1944
Address: 135 E Court St, West Union, WV 26456

Harrison County Sheriff:

Name: Robert Metheny
Phone: 304- 624-8550
Address: 301 W Main Street, Clarksburg, WV 26301

Marshall County Sheriff:

Name: Kevin Cecil
Phone: (304) 843-1550
Address: 601 6th St, Moundsville, WV 26041

Tyler County Sheriff:

Name: Brian M. Weigle
Phone: (304) 758- 4229
Address: 121 Court St, Middlebourne, WV 26149

Wetzel County Sheriff:

Name: Mike Koontz
Phone: (304) 455-8228
Address: 200 Main St, New Martinsville, WV 26155

6.0 REFERENCES

West Virginia Legislature (West Virginia). n.d. West Virginia Code. Available online at:
<http://law.justia.com/codes/west-virginia/2013/chapter-37/article-13/section-37-13-1A>.
Accessed July 2016.



**DOMINION ENERGY
TRANSMISSION, INC.
SUPPLY HEADER PROJECT
Docket No. CP15-555-000**

**Plan for the Unanticipated Discovery of Historic Properties
or Human Remains during Construction in Pennsylvania**

Rev. 3

Prepared by



January 9, 2018

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Construction in Pennsylvania**

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FERC	Federal Energy Regulatory Commission
PABHP	Pennsylvania Bureau for Historic Preservation
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Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in Pennsylvania

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This plan identifies procedures to be implemented in the event that previously unreported and unanticipated cultural materials or human remains are found during construction of the SHP in Pennsylvania.

3.0 TRAINING

Prior to the start of construction, Dominion Energy will conduct environmental training, including instruction on the identification of cultural materials, unmarked burials, and human remains, for Company and Contractor¹ personnel. The training program will focus on the Federal Energy Regulatory Commission's (FERC) *Upland Erosion Control, Revegetation, and Maintenance Plan* and *Wetland and Waterbody Construction and Mitigation Procedures*; other construction, restoration, and mitigation plans, including this *Plan for Unanticipated Discovery of Historic Properties or Human Remains*; and applicable permit conditions. Dominion Energy also will provide large-group training sessions before each work crew commences construction with periodic follow-up training for groups of newly assigned personnel.

4.0 UNANTICIPATED DISCOVERY OF CULTURAL MATERIALS OR HUMAN REMAINS

The following measures will be implemented if known or suspected cultural materials, unmarked burials, or human remains are discovered during construction in Pennsylvania:

1. The Contractor will stop work in the area of the find (i.e., within 100 feet of the find or the outer perimeter of a group of finds) to protect the integrity of the find.
2. The Contractor will notify Dominion Energy's Environmental Inspector (EI)² of the find. The Contractor will not restart work in the area of the find until approved by the EI.
3. The EI will notify Dominion Energy's Environmental Project Consultant, who will coordinate with the Archaeological Consultant to conduct a preliminary assessment of the find.

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² The role and responsibilities of an EI are defined in the FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan*.

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4. Following the investigation, the Archaeological Consultant will notify Dominion Energy's Environmental Project Consultant by telephone regarding the preliminary assessment of the find.
5. Dominion Energy's Environmental Project Consultant will notify the Federal Energy Regulatory Commission (FERC) and Pennsylvania Bureau for Historic Preservation (PABHP), which serves as the State Historic Preservation Office, by telephone regarding the preliminary evaluation of the find.
6. Dominion Energy's Environmental Project Consultant will notify the Delaware Nation of the find.³
7. If the materials found are cultural materials (e.g., artifacts or archaeological features), the procedures in Section 4.1 will be implemented. If the materials found are human remains, the procedures identified in Section 4.2 will be implemented.

4.1 Discovery of Cultural Materials

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6. Dominion Energy's Environmental Project Consultant will notify other parties of the find as directed by the FERC and PABHP.

³ In a letter to the FERC dated December 1, 2014, the Delaware Nation asked to be notified in the event of an unanticipated discovery of archaeological sites during construction. None of the other federally recognized tribes consulted for the SHP asked to be notified in the event of an unanticipated find.

Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in Pennsylvania

7. If the find is determined to be significant and continuing construction may damage more of the site, Dominion Energy's Environmental Project Consultant will request recommendations from the FERC, PABHP, and other parties recommended by the FERC and PABHP regarding measures for site treatment. These measures may include:
 - i) A variance request to re-route around the site;
 - ii) Formal archaeological evaluation of the site;
 - iii) Site visits by the FERC, PABHP, and other parties;
 - iv) Preparation of a mitigation plan by Dominion Energy for approval by the FERC and PABHP;
 - v) Implementation of the mitigation plan; and
 - vi) Approval to resume construction following completion of the fieldwork component of the mitigation plan.
8. If, upon further analysis by the Archaeological Consultant, the find is determined to lack significance, Dominion Energy's Environmental Project Consultant will consult with the FERC, PABHB, and other appropriate parties, and will request approval to resume construction subject, as warranted, to further mitigation required by the FERC.
9. Dominion Energy's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to start work.

4.2 Discovery of Unmarked Burials or Human Remains

1. If unmarked human burial or skeletal remains are encountered during construction activities, Dominion Energy's Environmental Project Consultant will direct the EI to flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds), and will notify the local County sheriff.
2. Dominion Energy's Environmental Project Consultant will notify the FERC and PABHP of the find.
3. If the County sheriff determines that the remains are not modern or do not reflect a crime scene, and/or if they otherwise relinquish their jurisdiction over the remains, the FERC will consult appropriate parties (e.g., PABHP, federally recognized Indian tribes, and/or the landowner) regarding additional steps to be followed.
4. If it is determined that the remains are Native American, a reasonable effort will be made to identify, locate, and notify the appropriate Tribe.

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5. If it is determined that the remains are not Native American, a reasonable effort will be made to determine the identity or next of kin of the deceased.
6. The measures to protect the remains and associated artifacts will remain in effect until they have been fully evaluated, appropriate treatment of the discovery (if applicable) has been completed, and Dominion Energy has received written notice from the FERC to proceed with construction at the discovery site.
7. Dominion Energy's Environmental Project Consultant will notify the EI who will grant clearance to the Contractor to resume work in the vicinity of the find.

5.0 CONTACTS FOR UNANTICIPATED DISCOVERIES

DOMINION ENERGY CONTACTS:

Lead Environmental Inspector (Spread 14):

Name: Kerrie Smith
Cell: 814-221-5522
Email: k.l.smith@windstream.net

Lead Environmental Inspector (Crayne and JB Tonkin Compressor Stations):

Name: Thomas Arrington
Cell: 850-572-4464
Email: arringt@gmail.com

Atlantic Environmental Project Consultant:

Name: Spencer Trichell
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Archaeological Consultant:

Name: William Stanyard
Company: ERM
Phone: (678) 781-1372
Cell: (404) 317-0543
E-mail: bill.stanyard@erm.com

FEDERAL CONTACTS:

FERC Project Archaeologist:

Name: Ellen Armbruster
Phone: (202) 502-8330
Email: ellen.armbruster@ferc.gov

COMMONWEALTH CONTACTS:

PABHP/State Historic Preservation Office:

Name: James Vaughan
Phone: (717) 787-3362
Phone: (717) 705-4035
E-mail: jvaughan@pa.gov

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TRIBAL CONTACTS:

Catawba Indian Nation

Name: Wenonah Haire
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Delaware Nation, Cultural Preservation Office

Name: Nekole Alligood
Phone: (405) 247-2448
E-mail: nalligood@delawarenation.com

LOCAL LAW ENFORCEMENT CONTACTS:

Greene County Sheriff:

Name: Brian Tenant
Phone: (724) 627-7207
Address: 10 E High St, Waynesburg, PA 15370

Westmoreland County Sheriff:

Name: Jonathan Held
Phone: (724) 830-3822
Address: 2 N Main St, Basement, Greensburg, PA 15601